

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO

In re:) PROMESA
) Title III
THE FINANCIAL OVERSIGHT AND)
MANAGEMENT BOARD FOR PUERTO RICO) Case No. 17-BK-03283 (LTS)
)
as representative of)
)
)
THE COMMONWEALTH OF PUERTO RICO et al.,)
)
Debtors.¹)
)
)
In re:) PROMESA
) Title III
THE FINANCIAL OVERSIGHT AND)
MANAGEMENT BOARD FOR PUERTO RICO) Case No. 17-BK-03566 (LTS)
)
as representative of)
)
)
THE EMPLOYEES RETIREMENT SYSTEM OF)
THE GOVERNMENT OF THE COMMONWEALTH)
OF PUERTO RICO,)
)
Debtor.)
)

¹ The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17-BK-3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17-BK-3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17-BK-3567-LTS) (Last Four Digits of Federal Tax ID: 3808); (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17-BK-3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17-BK-4780-LTS) (Last Four Digits of Federal Tax ID: 3747); and (vi) Puerto Rico Public Buildings Authority ("PBA") (Bankruptcy Case No. 19-BK-5523-LTS) (Last Four Digits of Federal Tax ID: 3801) (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

THE SPECIAL CLAIMS COMMITTEE OF THE)
FINANCIAL OVERSIGHT AND MANAGEMENT)
BOARD FOR PUERTO RICO, ACTING BY AND)
THROUGH ITS MEMBERS,) Adv. Proc. No. 19-00356 (LTS)
and)
THE OFFICIAL COMMITTEE OF UNSECURED)
CREDITORS OF ALL TITLE III DEBTORS)
(OTHER THAN COFINA),)
as co-trustees of)
THE EMPLOYEES RETIREMENT SYSTEM OF)
THE GOVERNMENT OF PUERTO RICO,)
Plaintiffs,)
v.)
DEFENDANT 1M, ET AL.,)
Defendants.)
THE SPECIAL CLAIMS COMMITTEE OF THE) Adv. Proc. No. 19-00357 (LTS)
FINANCIAL OVERSIGHT AND MANAGEMENT)
BOARD FOR PUERTO RICO, ACTING BY AND)
THROUGH ITS MEMBERS,)
and)
THE OFFICIAL COMMITTEE OF UNSECURED)
CREDITORS OF ALL TITLE III DEBTORS)
(OTHER THAN COFINA),)
as co-trustees of)
THE EMPLOYEES RETIREMENT SYSTEM OF)
THE GOVERNMENT OF PUERTO RICO,)
Plaintiffs,)
v.)
STOEVER GLASS & CO., ET AL.,)
Defendants.)

THE SPECIAL CLAIMS COMMITTEE OF THE)
FINANCIAL OVERSIGHT AND MANAGEMENT)
BOARD FOR PUERTO RICO, ACTING BY AND)
THROUGH ITS MEMBERS,)
)

and)
)

THE OFFICIAL COMMITTEE OF UNSECURED)
CREDITORS OF ALL TITLE III DEBTORS)
(OTHER THAN COFINA),)
)

as co-trustees of)
)

THE EMPLOYEES RETIREMENT SYSTEM OF)
THE GOVERNMENT OF PUERTO RICO,)
)

Plaintiffs,)
)

v.)
)

DEFENDANT 1H-78H,)
)

Defendants.)
)

THE SPECIAL CLAIMS COMMITTEE OF THE)
FINANCIAL OVERSIGHT AND MANAGEMENT)
BOARD FOR PUERTO RICO, ACTING BY AND)
THROUGH ITS MEMBERS,)
)

and)
)

THE OFFICIAL COMMITTEE OF UNSECURED)
CREDITORS OF ALL TITLE III DEBTORS)
(OTHER THAN COFINA),)
)

as co-trustees of)
)

THE EMPLOYEES RETIREMENT SYSTEM OF)
THE GOVERNMENT OF PUERTO RICO,)
)

Plaintiffs,)
)

v.)
)

) Adv. Proc. No. 19-00359 (LTS)

) Adv. Proc. No. 19-00361 (LTS)

DEFENDANT 1G-50G, et al.,)
Defendants.)
THE FINANCIAL OVERSIGHT AND) Adv. Proc. No. 19-00366 (LTS)
MANAGEMENT BOARD FOR PUERTO RICO,)
as representative of)
EMPLOYEES RETIREMENT SYSTEM OF THE)
GOVERNMENT OF THE COMMONWEALTH OF)
PUERTO RICO,)
and)
THE OFFICIAL COMMITTEE OF UNSECURED)
CREDITORS OF ALL TITLE III DEBTORS (OTHER)
THAN COFINA),)
as section 926 trustee of)
THE COMMONWEALTH OF PUERTO RICO)
Plaintiffs,²)
v.)
ANDALUSIAN GLOBAL DESIGNATED ACTIVITY)
COMPANY; THE BANK OF NEW YORK MELLON;))
MASON CAPITAL MASTER FUND LP; OCHER)
ROSE, L.L.C.; SV CREDIT, L.P.; CROWN)
MANAGED ACCOUNTS FOR AND ON BEHALF)
OF CROWN/PW SP; LMA SPC FOR AND ON)
BEHALF OF MAP 98 SEGREGATED PORTFOLIO;))
OCEANA MASTER FUND LTD.; PENTWATER)
MERGER ARBITRAGE MASTER FUND LTD.;)
AND PWCM MASTER FUND LTD,)
)

² The Official Committee of Unsecured Creditors serves as section 926 trustee and co-plaintiff in the prosecution of this adversary proceeding pursuant to Docket Entry No. 6990, which is incorporated herein by reference.

Defendants.)
)
THE FINANCIAL OVERSIGHT AND MANAGEMENT BOARD FOR PUERTO RICO,)
)
as representative of)
)
EMPLOYEES RETIREMENT SYSTEM OF THE GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO,)
)
and)
)
THE OFFICIAL COMMITTEE OF UNSECURED CREDITORS OF ALL TITLE III DEBTORS (OTHER THAN COFINA),)
)
as section 926 trustee of)
)
THE COMMONWEALTH OF PUERTO RICO)
)
Plaintiffs, ³)
)
v.)
)
GLENDON OPPORTUNITIES FUND, L.P.;)
OAKTREE-FORREST MULTI-STRATEGY, LLC)
(SERIES B); OAKTREE OPPORTUNITIES FUND)
IX, L.P.; OAKTREE OPPORTUNITIES FUND IX)
(PARALLEL 2), L.P.; OAKTREE VALUE)
OPPORTUNITIES FUND, L.P.; PUERTO RICO AAA)
PORTFOLIO BOND FUND, INC.; PUERTO RICO)
AAA PORTFOLIO BOND FUND II, INC.; PUERTO)
RICO AAA PORTFOLIO TARGET MATURITY)
FUND, INC.; PUERTO RICO FIXED INCOME)
FUND, INC.; PUERTO RICO FIXED INCOME)
FUND II, INC.; PUERTO RICO FIXED INCOME)
FUND III, INC.; PUERTO RICO FIXED INCOME)
FUND IV, INC.; PUERTO RICO FIXED INCOME)
FUND V, INC.; PUERTO RICO GNMA & U.S.)

³ The Official Committee of Unsecured Creditors serves as section 926 trustee and co-plaintiff in the prosecution of this adversary proceeding pursuant to Docket Entry No. 6990, which is incorporated herein by reference.

GOVERNMENT TARGET MATURITY FUND,)
INC.; PUERTO RICO INVESTORS BOND FUND I;)
PUERTO RICO INVESTORS TAX-FREE FUND,)
INC.; PUERTO RICO INVESTORS TAX-FREE)
FUND II, INC.; PUERTO RICO INVESTORS TAX-)
FREE FUND III, INC.; PUERTO RICO INVESTORS)
TAX-FREE FUND IV, INC.; PUERTO RICO)
INVESTORS TAX-FREE FUND V, INC.; PUERTO)
RICO INVESTORS TAX-FREE FUND VI, INC.;)
PUERTO RICO MORTGAGE-BACKED & U.S.)
GOVERNMENT SECURITIES FUND, INC.; TAX-)
FREE PUERTO RICO FUND, INC.; TAX-FREE)
PUERTO RICO FUND II, INC.; TAX-FREE PUERTO)
RICO TARGET MATURITY FUND, INC.; UBS IRA)
SELECT GROWTH & INCOME PUERTO RICO)
FUND,)
Defendants.)
)

ORDER MODIFYING BRIEFING SCHEDULE WITH RESPECT TO CERTAIN ISSUES
RAISED IN CERTAIN CONTESTED MATTERS AND ADVERSARY PROCEEDINGS
RELATED TO THE BONDS ISSUED BY THE EMPLOYEES

RETIREMENT SYSTEM OF THE GOVERNMENT OF THE COMMONWEALTH OF PUERTO RICO

Upon consideration of the *Joint Urgent Motion To Modify Briefing Schedule with Respect to Certain Issues Raised in Certain Contested Matters and Adversary Proceedings Related to the Bonds Issued by the Employees Retirement System of the Government of the Commonwealth of Puerto Rico* (Docket Entry No. 14087 in Case No. 17-3283, Docket Entry No. 962 in Case No. 17-3566, Docket Entry No. 110 in Adversary Proceeding No. 19-356, Docket Entry No. 115 in Adversary Proceeding No. 19-357, Docket Entry No. 94 in Adversary Proceeding No. 19-359, Docket Entry No. 97 in Adversary Proceeding No. 19-361, Docket Entry No. 83 in Adversary Proceeding No. 19-366, and Docket Entry No. 99 in Adversary Proceeding No. 19-367, the “Joint Motion”); and it appearing that (i) the Court has jurisdiction over this Joint Motion pursuant to 28 U.S.C. § 1331 and 48 U.S.C. § 2166(a); (ii) that venue of this proceeding and the Joint Motion is proper under 28 U.S.C. § 1391(b) and 48 U.S.C. § 2167(a);

(iii) that notice of the Joint Motion was adequate and proper under the circumstances and that no further or other notice need be given; and after due deliberation and sufficient cause appearing therefor, it is hereby ORDERED THAT:

1. The Joint Motion is GRANTED as set forth herein.
2. The existing deadlines contained in paragraph 3 of the *Order Modifying Discovery and Briefing Schedules with Respect to Certain Issues Raised in Certain Contested Matters and Adversary Proceedings Related to the Bonds Issued by the Employees Retirement System of the Government of the Commonwealth of Puerto Rico* (Docket Entry No. 13625 in Case No. 17-3283, Docket Entry No. 937 in Case No. 17-3566, Docket Entry No. 108 in Adversary Proceeding No. 19-356, Docket Entry No. 113 in Adversary Proceeding No. 19-357, Docket Entry No. 92 in Adversary Proceeding No. 19-359, Docket Entry No. 95 in Adversary Proceeding No. 19-361, Docket Entry No. 81 in Adversary Proceeding No. 19-366, and Docket Entry No. 97 in Adversary Proceeding No. 19-367) are vacated and modified as follows:

Event	Deadline
Deadline for filing motions for summary judgment and declarations in support	09/11/2020
Deadline for Participants to file joinders in the motions for summary judgment on the Ultra Vires Issues	09/18/2020
Deadline for filing oppositions to summary judgment briefs and declarations in support	10/28/2020
Deadline for Participants to file joinders in oppositions to the motions summary judgment briefs on the Ultra Vires Issues	11/04/2020
Deadline for Replies in support of summary judgment motions	11/19/2020

3. The terms and conditions of this Order shall be immediately effective and enforceable upon its entry.
4. This Court retains jurisdiction with respect to all matters arising from or related to the implementation of this Order.
5. This Order resolves Docket Entry No. 14087 in Case No. 17-3283, Docket Entry No. 962 in Case No. 17-3566, Docket Entry No. 110 in Adversary Proceeding No. 19-356, Docket Entry No. 115 in Adversary Proceeding No. 19-357, Docket Entry No. 94 in Adversary Proceeding No. 19-359, Docket Entry No. 97 in Adversary Proceeding No. 19-361, Docket Entry No. 83 in Adversary Proceeding No. 19-366, and Docket Entry No. 99 in Adversary Proceeding No. 19-367.

SO ORDERED.

Dated: August 25, 2020

/s/ Laura Taylor Swain
LAURA TAYLOR SWAIN
United States District Judge